

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 1:13-cv-016
)	
\$424,480.00 IN U.S. CURRENCY,)	
MORE OR LESS,)	
)	
Defendant.)	

VERIFIED COMPLAINT *IN REM*

Plaintiff, the United States of America, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is an action to forfeit property to the United States pursuant to 21 U.S.C. § 881(a)(6).

DEFENDANT IN REM

2. The defendant property consists of the following: U.S. currency in the amount of \$424,480.00, more or less, that was seized from Steven Eugene Brown in Cass County, Iowa, on December 13, 2012. The funds are in the custody and control of the U.S. Marshals Service.

JURISDICTION AND VENUE

3. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345 and over an action for forfeiture under 28 U.S.C. § 1355(a).

4. This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. § 1355(b) because the defendant property is located in this district.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1) and 28 U.S.C.

§ 1395(b) because the property was seized from and is located in this district.

BASIS FOR FORFEITURE

6. The Defendant property constitutes moneys or other things of value furnished or intended to be furnished in exchange for a controlled substance, proceeds of such an exchange, or used or intended to be used to facilitate any violation of title 21, chapter 13. As such, the Defendant property is liable to forfeiture to the United States in accordance with 21 U.S.C. § 881(a)(6).

FACTS

7. On December 13, 2012, a black Toyota Tundra truck with California license plates traveling west on Interstate 80 in Cass County, Iowa, was stopped by Iowa State Patrol Trooper Aaron Taylor for speeding.

8. The driver, and only occupant of the vehicle was identified as Steven Eugene Brown (hereinafter "Brown") who lives in Covelo, California and is the registered owner of the vehicle.

9. Covelo is located in Northern California in Mendocino County. Mendocino County is one of three counties in Northern California referred to as the "Emerald Triangle." The Emerald Triangle area is a region that produces marijuana for legal use in California. Counties located in the Emerald Triangle area are known for growing, cultivating and producing large quantities of marijuana.

10. Brown said he left California about a week prior to the traffic stop and drove to Niagara Falls, New York. Brown said that he only stayed in the Niagara Falls area for one day, stayed in Buffalo, NY for one night and then started on his return trip back to California.

11. During the traffic stop, Brown appeared to be extremely restless and nervous and

avoided eye contact.

12. The truck bed had a tonneau cover. When asked what he was hauling in his truck, Brown said there was only dirty laundry in the truck bed.

13. The trooper asked Brown whether he had ever been arrested and Brown stated “not really” and then mentioned a speeding ticket and an OWI charge and denied any other arrests. According to information provided to law enforcement, Brown has been arrested for, among other charges, kidnapping, driving on a suspended license, giving false information to a peace officer, carrying a concealed weapon in a vehicle and carrying a loaded firearm in a public place.

14. The trooper issued Brown a warning ticket for speeding and told him that he was free to go.

15. The trooper then asked Brown if he could ask him a few questions, and Brown agreed. When asked, Brown denied that he had any drugs, weapons or large amounts of cash in his vehicle.

16. The trooper asked Brown for permission to search his truck, which Brown denied. The trooper then asked Brown for permission to have a K9 perform a sniff of his vehicle and Brown denied.

17. The trooper told Brown he was going to have a K9 perform a free air sniff of his truck. While waiting for the K9 to arrive, the trooper again asked Brown if he had any weapons on him or in the vehicle. Brown then admitted he had two handguns in the center console, stating that he had concealed weapons permits for them.

18. Iowa State Patrol Trooper Zenor deployed his trained narcotics detector dog, Ranger, to conduct an exterior sniff of the vehicle. The dog alerted and indicated to the odor of narcotics from the vehicle. A search of the vehicle was then conducted.

19. When told there was probable cause to search the vehicle, Brown said that he had some pills in the vehicle he used for medical reasons and that he had a prescription for the pills. Brown then said the prescription was for medical marijuana. Bags containing 24 marijuana pills were found in Brown's suitcase.

20. Marijuana residue and pieces of marijuana were observed in the backseat and on the floorboard of the vehicle. Officers located two loaded handguns in the center console along with \$2,450 in U.S. currency, a prepaid Boost-type phone and an I-Phone. A large Ka-Bar knife was located between the driver's seat and center console and a large ax-type weapon was located on the backseat.

21. A cardboard box containing \$285,830 in U.S. currency was located behind the driver's seat. The money was found in three plastic bags, in bundles rubber banded together and also in heat sealed packages.

22. A bicycle, a large black duffle bag and a black backpack were found in the locked bed of the truck. Inside the duffle bag was a plastic bag containing rubber-banded U.S. currency totaling \$80,020 and three additional empty duffle bags. All four of the duffle bags had a strong odor of marijuana and what appeared to be marijuana shake. A mason jar of canned fish was found in the pocket of the black duffle bag.

23. The black backpack contained a shoe box wrapped in electrical tape. Inside the shoe box was a large heat-sealed package wrapped in paper that contained U.S. currency totaling \$56,180.

24. A plastic bag containing rubber bands similar to the rubber bands on the currency was found in the vehicle. Dryer sheets were found stuffed under the rear seats and driver's seat. The holes in the bed of the truck had been taped over with duct tape.

25. The amount of U.S. currency found and seized was \$424,480, in the following denominations: \$111,400 in \$100 bills; \$70,850 in \$50 bills; \$238,540 in \$20 bills; \$3,190 in \$10 bills; \$465 in \$5 bills; and \$35 in \$1 bills. A drug K-9 indicated to the odor of narcotics on the seized currency.

26. Brown was arrested and charged with possession of marijuana, possession of a concealed weapon, and money laundering. *State of Iowa v. Steve Eugene Brown*, Cass County, Iowa Criminal Case No. FECR013837.

27. Brown told law enforcement that he was a member of the Konkow tribe in California which is a sovereign tribe and that he was allowed to have the large amount of money in his possession tax free. He also said that as a member of the tribe, he had diplomatic immunity.

28. Brown claimed the currency came from the sale of gold coins he sold to other tribes but would not identify them. Brown stated there were no receipts or inventory paperwork to document the sales.

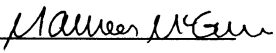
29. Receipts found in Brown's vehicle show that Brown left California around November 29, 2012 and stayed in the following places in New York, or surrounding areas, from December 3rd through December 11th, 2012: Kingston, NY; Tenaflly, NJ; Woodside, NY; Flushing, NY; West Haven, CT; and Albany, NY.

CLAIM FOR RELIEF

WHEREFORE, the United States prays that the defendant property be forfeited to the United States, that the plaintiff be awarded its costs and disbursements in this action, and for such other and further relief as the Court deems proper and just.

Respectfully Submitted,

Nicholas A. Klinefeldt
United States Attorney

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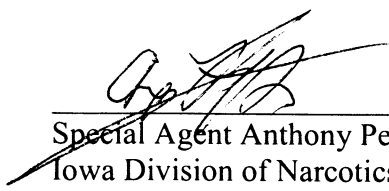
VERIFICATION

I, Special Agent Anthony Peterson hereby verify and declare under penalty of perjury that I am a Special Agent with the Iowa Division of Narcotics Enforcement, that I have read the foregoing Verified Complaint in Rem, *United States v. \$424,480.00 in U.S. Currency*, and know the contents thereof, and that the matters contained in the Verified Complaint are true to the best of my knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters, I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, the Iowa Division of Criminal Investigation, and the Iowa State Patrol and information supplied to me by other law enforcement officers, as well as my investigation of this case.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated: 8th day of May, 2013.



Special Agent Anthony Peterson
Iowa Division of Narcotics Enforcement